

AUBURN CITY COUNCIL MINUTES REGULAR SESSION

August 14, 2006

Closed Session 5:15 p.m.

Regular Session 6:00 p.m.

The Regular Session of the Auburn City Council was held in the Council Chamber, City Hall at 1225 Lincoln Way, Auburn, California with Mayor Mike Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL

Council Members Present: Kevin Hanley, Keith Nesbitt, Bob Snyder, Mike Holmes

Council Members Absent: Bridget Powers

Staff Members Present: City Manager Bob Richardson
City Attorney Michael Colantuono
Fire Chief Mark D'Ambrogio
City Treasurer George Williams
Administrative Manager Joanna Belanger
Public Works Director Jack Warren
Finance Director Andy Heath
Community Development Director Will Wong
Associate Planner Steve Geiger
Admin. Analyst/Transit Manager Megan Siren

- (1) By **MOTION** adjourn to a closed session under Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: David Mackowiak
Employee Organization: Firefighters Association & Police Officers Association

- (2) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: APN 001-071-010 & 001-071-011, Elm Plaza
Agency Negotiator: Robert Richardson
Negotiating Parties: Paul Hillsheim, Manager Elm Plaza LLC

Under Negotiation: Price & Terms

REPORT OUT OF CLOSED SESSION

No reportable action taken.

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ANNOUNCEMENTS

Mayor Holmes said he would be away during the August 28th meeting.

AGENDA APPROVAL

Item 13 was moved ahead to immediately follow Item 10, Public Comment. The Agenda was approved as amended.

CONSENT CALENDAR

1. Minutes

By **MOTION** approve City Council Minutes of June 26 and July 10, 2006.

2. Robie Point Sewer Master Plan

Item removed by the City Manager; follows Consent Calendar.

3. Safe Routes to School Master Agreement and Program Supplement Agreement – Lincoln Way Sidewalk Project

By **RESOLUTION 06-102** authorize the Director of Public Works to:

- A. Execute the Administrative Agency Agreement No. 03-000077;
- B. Execute the Program Supplement No. B99 for Project Number SR2SL-5077(007) EA Number 03-928685, in the amount of \$419,400 for the Lincoln Way Sidewalk Project.

4. Agreement for Consulting Services – CDBG Revolving Loan Fund

Item removed by Auburn resident Dan Sokol; follows Consent Calendar.

5. City of Auburn's Slow Fill Compressed Natural Gas

Item removed by Auburn resident Dan Sokol; follows Consent Calendar.

6. **Adoption of Ad Valorem Debt Service Tax Rate for General Obligation Bonds – Fiscal Year 2006-07**

By **RESOLUTION 06-105** adopt a Debt Service Tax Rate for the redemption of voter approved General Obligation Bonds (Auburn Civic Center – 1987) in the amount of \$0.0072 dollars per hundred dollars of assessed valuation for fiscal year 2006-07.

7. **Declare Surplus Property and Execute Sale**

- A. By **RESOLUTION 06-106** declare City of Auburn Asses No. 60002 – a 2004 BMW 1150RTP Police Motor Unit, surplus property and authorize the City Manager or his designee to execute the sale of Asset No. 60002 as used police equipment.
- B. By **RESOLUTION 06-107** authorize the purchase of a new Honda Police Motor Unit from the City's Facilities and Equipment Replacement Fund.

8. **Quarterly Report of Investments – Quarter Ending June 30, 2006**

Item removed by the City Manager; follows Consent Calendar.

9. **Citywide Vehicle Usage Policy and Procedures**

By **RESOLUTION 06-108** adopt a Citywide Vehicle Usage Policy and Procedures as required and outlined by the Northern California Cities Self Insurance Fund Policy and Procedure No. RM-2-Driving Standards.

***** End of Consent Calendar *****

By **MOTION** approve Consent Calendar as amended. **MOTION: Nesbitt/Hanley/Approved 4:0/Absent: Powers**

2. **Robie Point Sewer Master Plan**

Council Member Snyder recused himself from this item. Public Works Director Jack Warren said the City has been interested in developing a sewer service in the Robie Point area for several years. Mr. Jared Ainsworth, property owner and developer in that area, and his engineer, Mark Kahl of All Inclusive Water/Wastewater Solutions, Inc., have offered to share equally with the City the cost of a sewer feasibility study. The study is \$44,452.00. Their share would be \$22,226.00 or less should other parties join the effort.

Council Member Hanley said he favored installing a sewer system in the Robie Point area, but was concerned about the precedent of using ratepayer money to pay for half of the master plan study. He didn't believe there was adequate discussion at the neighborhood level. He didn't see a clear strategy on the financing of the installation of the sewer system once the master plan is completed.

Council Member Nesbitt agreed

The Council took no action. The public works director was instructed to take this back to the developer for more information and discussion.

4. **Agreement for Consulting Services – CDBG Revolving Loan Fund**

Community Development Director Will Wong said that the Sierra Economic Development District (SEDD) had been utilized by the City to administer the City's Community Development Block Grant (CDBG) revolving loan fund. Staff has been considering no longer utilizing SEDD's services and administering the loan fund in house. Due to budget difficulties SEDD released their Business Finance Specialist, Craig Sobrero. SEDD's proposal was to replace Mr. Sobrero with a part-time person. City staff does not believe that would be adequate.

Mr. Sobrero has been working closely with staff to promote the loan program and was successful in securing two loans totaling \$250,000. He is currently working on other possible loans. Staff is concerned about losing the momentum and contacts that he has created.

SEDD's hourly rate range was from \$40 to \$75 per hour. Mr. Sobrero's hourly rate will be \$28 per hour.

Resident Dan Sokol said it bothered him to see a proposal without seeing the qualifications of the principal. These should be made available to the public. He said he would also like to see an estimate by the consultant so that the client could see how the consultant develops the thinking on costs and hours. The Council should adapt this attitude.

Community Development Director Will Wong said developing loans can take a lot of time with no guarantees as to timelines.

By **RESOLUTION 06-103** authorize the Community Development Director to execute an agreement for consulting services between the City and Craig Sobrero to provide CDBG (Community Development Block Grant) revolving loan fund consulting services. **MOTION: Hanley/Nesbitt/**
Approved 4:0/Absent: Powers

5. **City of Auburn's Slow Fill Compressed Natural Gas**

Auburn resident Dan Sokol said he had the same concerns about this item that he expressed during the item 4 discussion.

Public Works Director Jack Warren, in answer to Dan Sokol's comment, said he looked high and low for a consultant and the only one he could find was T, Mitchell Engineers in Oakland.

By **RESOLUTION 06-104** authorize the Director of Public Works to execute a consultant agreement with T. Mitchell Engineers and Associates for the engineering design and documentation of a CNG Filling Station at the Auburn Corporation Yard. **MOTION: Hanley/Nesbitt/ Approved 4:0/Absent: Powers**

8. **Quarterly Report of Investments – Quarter Ending June 30, 2006**

Receive, review and file the "City of Auburn Quarterly Investment Report" for the quarter ending June 30, 2006

Finance Director Andy Heath said the portfolio is virtually unchanged with an increase of about \$100,000. There will not be much investment activity during the next few months.

10. **Public Comment**

Mayor Holmes asked staff to take look at the sidewalk between the Placer Land Building and the State theater. It is becoming unsafe.

PUBLIC HEARING

11. **General Plan Amendment and Rezone – 480 Wall Street (Wall Street Gardens Condominiums) Files GPA 05-3 RE 05-2**

Community Development Director Will Wong said this rezone would be changed from Commercial (COMM) to High Density Residential (HDR) and the zoning designation from Regional Commercial (C-3) to multiple-family Residential (R3). The request would be consistent with the approved condominium project.

- A. By **MOTION** find that the Mitigated Negative Declaration previously approved by the Auburn Planning Commission for the Wall Street Gardens Condominiums project adequately analyzes the environmental impacts associated with the General Plan Amendment and Rezone. **MOTION: Nesbitt/Hanley/Approved 4:0/Absent: Powers**

- B. By **RESOLUTION** approve the General Plan Amendment for the Wall Street Gardens Condominium property at 580 Wall Street, changing the land use designation from Commercial (COMM) to High Density Residential (HDR). **MOTION: Nesbitt/Hanley/ Approved 4:0 / Absent: Powers**
- C. By **MOTION** adopt the following findings of fact to rezone the Wall Street Gardens Condominium property at 580 Wall Street (File RE 05-2):
- (1) The rezone is consistent with the General Plan; and
 - (2) The rezone is consistent with the public interest, health, safety, and welfare of the City.
- MOTION: Nesbitt/Hanley/Approved 4:0/Absent: Powers**
- D. By **MOTION** introduce and hold a first reading, by title only, of an ordinance change the zoning designation for the Wall Street Gardens Condominiums project at 580 Wall Street from Regional Commercial (C-3) to Multiple-family Residential (R3).
MOTION: Nesbitt/Hanley/Approved 4:0/Absent: Powers

First reading by title only by City Attorney Michael Colantuono.

12. **Appeal by Timothy Murphy of Planning Commission's Condition of Approval requiring Frontage Improvements for a Proposed Tentative Parcel Map – 270 Electric Street-Files LS 06-1; TP06-1**

Associate Planner Steve Geiger said that, when the Planning Commission approved the tentative parcel map, they placed conditions requiring frontage improvements including street widening and curb and gutter. These are typical conditions that are required when there is a parcel map request, which would obtain the necessary improvements as properties are developed or subdivided, so that, in the future, the improvements would be in place for the entire street. The Planning Commission did not require a sidewalk because this block of Electric Street is dead end.

Public Works Director Jack Warren said the only thing that would be fair to the applicant is a uniform application of the policy. The Council should deny the appeal.

Beryl Smith of 120 Belmont Drive said adding street pavement, curb and gutter would add nothing to the aesthetic value of the semi-rural appearance of the neighborhood. Drainage will not be improved. Currently on this block there is no curb, gutter or sidewalk. Actions by the City of Auburn to widen Electric Street and to install curb and gutter on this dead-end street will most likely never happen. The majority of

neighbors who appeared at the Planning Commission were opposed to these requirements.

Ralph Roper, who lives on Electric Street, said everybody must be treated fairly. Otherwise other people in other areas will be asking for the same exceptions. He urged denial of the appeal.

Real estate agent Bob Burton said the draw of Auburn is its country feel. Adding curb and gutter will not uplift the neighborhood. The other two parcels are highly unlikely to be split in the future.

Council Member Hanley said he was concerned about imposing an \$8,000 to \$10,000 cost for these improvements on a dead-end road. This road is not a key connector for walking to other places.

Council Member Snyder said he thought there will be potential for future development on that street. The City needs to stick to its policy.

Council Member Nesbitt said approving the appeal would be setting a bad precedent and he would be reluctant to weaken the policy.

A. By **MOTION** to adopt the City Council **RESOLUTION 06-109** (Exhibit A) for the denial of the Timothy Murphy appeal of the condition of approval requiring frontage improvements. This action would do the following:

- 1) Deny the appeal and uphold the Planning Commission's decision to require that frontage improvements including street widening, curb, and gutter be provided along the subject property's Electric Street frontage (Files #LS 06-1; TP 06-1). **MOTION: Nesbitt/Snyder/Approved 3:1/ No: Hanley/Absent: Powers**

REPORTS

13. **PG & E Motherload Partnership Presentation**

This item was discussed immediately following item 10, Public Comment.

Jim Doolittle and Cynthia Haynes of Pacific Gas & Electric delivered a presentation introducing the Motherload partnership. This partnership with PG&E and five other neighboring counties would help them and local businesses in energy conservation. There will be no costs to counties municipalities or businesses. A resolution will be brought before the Council at a future meeting.

14. **City Council Committee Reports**

Council Member Snyder said the first human and 5 birds have contacted West Nile virus in Placer County.

Keith Nesbitt said the ARD is discussing what alternatives they have regarding the enforcement of the helmet law at the skate park.

Mayor Holmes said the Placer County Air Pollution Control District is testing the new locomotive exhaust capture system in Roseville. This is the first time this has been done in the United States. Also, the Air Pollution Control District Board has approved over a million dollars in grant money for various grants to reduce pollution.

COUNCIL BUSINESS

15. **Cities for Climate Protection Campaign**

Commit to participation in the Cities for Climate Protection Campaign taking a leadership role in promoting public awareness to causes and impact of climate change.

The Council took no action. The matter was referred to the Placer County Air Pollution Control District for consideration and recommendation since similar work is already being conducted there.

16. **Lincoln Way Crosswalks**

Public Works Director Jack Warren said the school is in support of this measure.

Council Member Snyder said this is a dangerous intersection and this work should have been done a long time ago.

Resident Harvey Roper thanked the city on behalf of the kids at Alta Vista School.

By **RESOLUTION 06-110** authorize and approve the installation of a three way stop at the intersection of Lincoln Way and East Electric Street and relocate the Alta Visa School crosswalk to this intersection. **MOTION:**
Hanley/Nesbitt/Approved 4:0/Absent: Powers

17 **2006-07 Street Overlay Phase 1 Project**

Public Works Director Jack Warren said the preliminary engineer's estimate for phase 1 is \$440,000. The remaining funds in the overlay

budget are to be used to fund Phase2 of the 2006-07 Street Overlay Project scheduled for spring of 2007.

By **MOTION** authorize the Public Works Department to advertise for the 2006-07 Street Overlay Phase 1 Project. **MOTION: Hanley/Snyder/**

Approved 4:0/Absent: Powers

ADJOURNMENT at 8:37 p.m.

Mike Holmes, Mayor

Joseph G.R. Labrie, City Clerk